

## FOOD STAMP PROGRAM REQUEST FOR REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative Law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input type="checkbox"/> Other:	5. DATE OF REQUEST: 03/22/2012	NEED RESPONSE BY: 03/31/2012
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Riverside County	
3. PHONE NO.:	7. SUBJECT: Discontinuance of TCF and Timely Notice versus adequate notice	
4. REGULATION CITE(S): MPP 63-504.13(d), MPP 63-504.13(e), MPP 63-502	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b> ACL 11-70, Q&A #4; ACIN I-73-04 Q&A #13	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

CalWORKs customers are discontinued at least 10 days prior to the end of the month that the current determination is due. At that time Transitional CalFresh is triggered in our automated system and the customer receives a TCF notice of approval with increased benefits as the CW grant was been deleted from the budget. Customers are coming in prior to the termination date and completing the redetermination. Our Quality Control/Quality Assurance unit is questioning if these customers are entitled to a timely notice of a change in benefits as the continued Public Assistance CalFresh grant is lower than the anticipated TCF. Without clarification, some ET's are allowing TCF benefits to go out as they believe the household is entitled to ten day notice due to the TCF NOA indicating a higher allotment.

10. REQUESTOR'S PROPOSED ANSWER:

My response has been that timely notice is required when the household experiences a reduction in benefits, and adequate notice is required if the household has received a previous NOA indicating a proposed allotment amount if the customer does not complete a certain action.

I searched the FNS website that stated timely notice is required when the household experiences a reduction in benefits received.

11. FRAT RESPONSE TO COUNTY QUESTION:

12. STATE POLICY RESPONSE (FSPIU USE ONLY):

This is an issue which arose between the CWD QC and CWD Policy Staff; therefore, a copy of this form is being sent to FOB as an FYI. CDSS agrees timely and adequate notice is required before terminating TCF per MPP 63-504.13(d) and MPP 63-504.13(e). One or two months of TCF may be issued without an overissuance depending upon the required 10-day noticing.

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MPP Section 63-504.13(e) states in part: (1) CWDs are required to send timely notice to the household prior to the expiration of

### FOR FRAT USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY:	DATE FORWARDED TO STATE:
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MPP Section 63-504.13(e) states in part: (1) CWDs are required to send timely notice to the household prior to the expiration of Transitional benefits, and (2) if Transitional CalFresh benefits are ending for any reason other than the expiration of the five-month benefit period, then the CWD shall provide the household a timely notice of action prior to the termination of Transitional benefits.

[MPP 63-504.13(d) and (e), page 318.1 of the MPP; ACIN I-73-04, page 10]